

**City of Greensboro Planning Department
Zoning Staff Report
April 10, 2006 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: C
Location: 801- 831 West Florida Street (Southeast quadrant of West Florida Street and Freeman Mill Road)

Applicant: Dae Yu
Owner: CKDM Properties, LLC

From: LB
To: CD-HB

- Conditions:**
- 1) Uses limited to those uses permitted in the LB zoning district and indoor flea markets.
 - 2) Outdoor advertising signs (billboards) shall be prohibited.
 - 3) Freestanding signage shall be limited to a maximum height of 15 feet and a maximum size of 175 square feet.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Freeman Mill Square Shopping Center
Acreage	3.614
Physical Characteristics	<i>Topography:</i> Generally flat <i>Vegetation:</i> None <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Mixed Use Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Smith Homes	RM-12
<i>South</i>	Single Family	RS-7
<i>East</i>	Smith Homes	RM-12
<i>West</i>	Butlers Barber Shop / Freeman Mill Road	LB / RS-7

ZONING HISTORY		
Case #	Year	Request Summary
D763	2001	This property has been zoned LB since July 1, 1992. Prior to the implementation of the UDO, it was zoned Commercial N. A request to rezone this property from LB to HB was unanimously denied by the Zoning Commission in September 2001. This denial was appealed to City Council and the rezoning request was denied by Council in October 2001.

DIFFERENCES BETWEEN LB (EXISTING) AND CD-HB (PROPOSED) ZONING DISTRICTS
LB: Primarily intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods. The district is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences.
CD-HB: Primarily intended to accommodate retail, service, and distributive uses which are typically located along thoroughfares. The district is established to provide locations for establishments which cater primarily to passing motorists and require high visibility and good road access. Developments in this district generally have substantial front setbacks. See Conditions for use limitations and other restrictions.

TRANSPORTATION	
Street Classification	Freeman Mill Road – Major Thoroughfare, W. Florida Street – Major Thoroughfare.
Site Access	Existing.
Traffic Counts	Freeman Mill Road ADT = 19,413, W. Florida Street ADT = 9,650.
Trip Generation	N/A.
Sidewalks	N/A.
Transit	Yes.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	No, site drains to South Buffalo Creek
Floodplains	N/A
Streams	N/A
Other	N/A

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	N/A
South	N/A
East	N/A
West	N/A

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

POLICY 7A.2: Encourage “home-grown” and **community-based businesses** and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in **traditionally underserved parts of the community**.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

Mixed Use Residential: This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning: A request to rezone this shopping center from Limited Business to Highway Business was denied by City Council in October 2001. The Planning Department recommended denial of that request. Staff felt that the LB zoning classification was the most appropriate one for the property since the district description (see above) described this property to a “T”. Staff was concerned that there were a number of higher intensity land uses that were permitted in the HB District, including but not limited to, bars, restaurants with drive-through service, automobile sales lots, and automobile repair services. Staff felt that such higher intensity land uses would not be compatible with the surrounding residential areas.

This request overcomes the concerns that staff expressed about the previous request. The only use not currently allowed would be the indoor flea market which is not the type of higher intensity land use that concerned staff in the past. Additionally, the applicant has included

conditions which insure that signage on the property will be limited to the requirements of the Limited Business District.

This request also meets Comprehensive Policy 7A.2 as described above. It is compatible with the Mixed Use Residential land use classification as this shopping center provides a neighborhood serving commercial area that is supportive of the range of residential uses found in the area.

GDOT: No additional comments.

Water Resources: No additional comments.

STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval.